

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND**

IN RE: DONNALEE M. DEMERS

**BK No: 13-11539
CHAPTER 13**

LIMITED OBJECTION TO ALLOWANCE OF CLAIM #4

The Debtor, **Donnalee M. Demers**, hereby objects to claim #4 filed on behalf of America's Servicing Company in the amount of \$14,181.61. In support of said limited objection, the Debtor states that she believes that the attorney's fees of \$1170.00, the advertising costs of \$534.40, the title costs of \$275.00 should be stricken from the claim. The notice of default provided by America's Servicing Company did not comply with paragraph 22 of the mortgage documents. Accordingly, all fees and expenses related to the foreclosure proceeding should be disallowed. The Debtor believes that said Creditor should have an allowed secured claim of \$12,202.21 (\$14,181.61- \$1979.40 representing the above referenced unauthorized fees).

WHEREFORE, the Debtor prays that her limited objection to claim #4 filed on behalf of America's Servicing Company be sustained and that the Chapter 13 Standing Trustee treat said claimant as having an allowed secured claim of \$12,202.21.

**Donnalee M. Demers
By her Attorney,**

**/s/Christopher M. Lefebvre, #4019
P. O. Box 479
Pawtucket, RI 02862
(401)728-6060**

NOTICE OF TIME TO RESPOND/OBJECT

Within fourteen days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if served by mail, any party against whom such paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Bankruptcy Court Clerk's Office, 380 Westminster Mall, 6th Floor, Providence, RI 02903, (401) 626-3100. If no objection or other response is timely filed within the time allowed herein, the paper will be deemed unopposed and will be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the Court, the interest of justice requires otherwise. If you timely file such a response, you will be given thirty (30) days notice of the hearing date for this obligation.

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CERTIFICATION OF SERVICE

I hereby certify that on October 17, 2013, I electronically filed a Limited Objection to Claim #4 with the Clerk of the Bankruptcy Court for the District of Rhode Island using the CM/ECF System. The following participants have received notice electronically: Office of the U.S. Trustee, and John Boyajian, Esq., Joseph Dolben, Esq.; and I hereby certify that I have mailed by United States Postal Service, postage pre-paid, the document and a copy of the Notice of Electronic Filing to the following non CM/ECF participants:

America's Servicing Company
ATTN:Bankruptcy Department MAC#D3347-014
3476 Stateview Blvd.
Fort Mills, SC 27915

America's Servicing Company
PO Box 10328
Des Moines, IA 50306-0388

/s/Christopher M. Lefebvre